

REMARKS

I. Introduction

Claims 1-17 are pending in the application. In the Office Action June 5, 2006, the Examiner rejected claim 1 under 35 U.S.C. § 112. Further, claims 1-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,879,676 ("Contractor") in view of U.S. Pat. No. 5,953,401 ("Caveney"). In this Amendment, Applicant has amended claims 1, 5, and 9. Applicant respectfully request reconsideration and withdrawal of the rejections against the claims.

II. Rejection under 35 U.S.C. § 112

The Examiner rejected claim 1 under 35 U.S.C. § 112 as being unclear. Specifically, the Examiner asserted claim 1 is unclear as to whether a dual-tone multi-frequency trigger is received from a caller or a called party. Applicant has amended each of the independent claims to make explicit what was previously implicit in the claims, that the DTMF trigger is received from the caller. Applicant respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. § 112.

III. The Proposed Combination Does Not Render Claim 1 Unpatentable

Claim 1 is directed to a method for providing a telecommunication service. Claim 1 recites providing a menu to a caller from a telephone network element in a telephone call, the menu providing a plurality of destination options including a first destination option for a residence of a family, a second destination option for a first member of the family at a first location other than the residence, and a third destination option for a second member of the family at a second location other than the residence. Contractor and Caveney both fail to disclose at least this element.

As admitted by the Examiner, Caveney does not teach providing a menu to a caller. The only reference cited by the Examiner that provides a menu to a caller is Contractor. Contractor is directed to a system and method for routing a call to an optimal location. In the portion of Contractor cited by the Examiner, a user calls a main number for a conglomerate of car dealerships and is provided a menu for selecting which specific car dealership the caller would like their call routed to. For example, a

caller may choose to route their call to a BMW dealership, a Ford dealership, or a Toyota dealership. Contractor does not disclose providing a menu for routing a call to different locations associated with a family as recited in claim 1 such as a first destination option **for a residence of a family**, a second destination option **for a first member of the family at a first location other than the residence**, and a third destination option **for a second member of the family at a second location other than the residence**. The specification of the current application defines family members as blood relationships such as a part of a child or legal relationships such as a legal guardian of a child.

Due to the fact both Contractor and Caveney fail to disclose at least providing a menu to a caller from a telephone network element in a telephone call, the menu providing a plurality of destination options including a first destination option for a residence of a family, a second destination option for a first member of the family at a first location other than the residence, and a third destination option for a second member of the family at a second location other than the residence, the proposed combination of Contractor and Caveney as contemplated by the Examiner necessarily cannot render independent claim 1, or any claim that depends on claim 1, unpatentable. Applicant respectfully request reconsideration and withdrawal of the rejections against the claims.

IV. It is Improper to Combine Contractor and Caveney

It is improper to combine references where the references teach away from their combination. *In re Grasselli*, 713 F.2d 731, 743, 218 USPQ 769, 779 (Fed. Cir. 1983); MPEP §§ 2141.02 and 2145. Caveney is directed to a call processor for use with a telephone switching system that allows an incoming caller to complete the call to an internal destination ***without operator assistance and without receiving a generated voice message***. (Abstract). The portion of Contractor cited by the Examiner discloses providing a routing menu to a caller, which is the very action that Caveney is attempting to avoid. Applicants respectfully submit that due to the fact Caveney teaches away from a user receiving a generated voice message such as a menu, and the portion of Caveney cited by the Examiner discloses a user receiving a generated voice message

such as a menu, it is improper to combine Contractor and Caveney as contemplated by the Examiner.

V. The Proposed Combination Does Not Render Claim 5 Unpatentable

Claim 5 recites at least one service control point including service logic to direct the act of providing a menu to a caller in a telephone call in response to a first trigger, the menu providing a plurality of destination options including a first destination option **for a residence of a family**, a second destination option **for a first member of the family at a first location other than the residence**, and a third destination option **for a second member of the family at a second location other than the residence**. As discussed above, Contractor and Caveney fail to disclose at least this element. For at least this reason, and due to the fact it is improper to combine Contractor and Caveney, the proposed combination of Contract and Caveney as contemplated by the Examiner necessarily cannot render independent claim 5, or any claim that depends on claim 5, unpatentable.

VI. The Proposed Combination Does Not Render Claim 9 Unpatentable

Claim 9 is directed to a computer-readable medium having computer-readable data which directs one or more telephone network elements to perform the act of providing to a caller a menu from a telephone network element in a telephone call, the menu providing a plurality of destination options including a first destination option **for a residence of a family**, a second destination option **for a first member of the family at a first location other than the residence**, and a third destination option **for a second member of the family at a second location other than the residence**. For at least this reason, and due to the fact it is improper to combine Contractor and Caveney, the proposed combination of Contract and Caveney as contemplated by the Examiner necessarily cannot render independent claim 5, or any claim that depends on claim 5, unpatentable.

VII. Conclusion

In view of the foregoing amendment and remarks, Applicants submit that the pending claims are in condition for allowance. Reconsideration is therefore respectfully requested. If there are any questions concerning this Response, the Examiner is asked to phone the undersigned attorney at (312) 321-4200.

Respectfully submitted,



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